

CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

# California Department of Consumer Affairs BUREAU OF AUTOMOTIVE REPAIR

The Department of Consumer Affairs (DCA), Bureau of Automotive Repair (BAR) field offices listed below are open from 8 a.m. – 5 p.m. Monday through Friday (except State holidays). We at DCA/BAR wish you every success in your auto repair business. If we can help you in any way, please contact us. For more information...

- Read the BAR's newsletter, *Repair Reporter*.
- Consult the Laws and Regulations Relating to Automotive Repair Dealers, Licensed Official Stations, and Licensed Smog Check Stations.

# Bureau of Automotive Repair PUBLISHING INFORMATION

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For additional copies write to:

BAR Mail Room 10240 Systems Parkway Sacramento, CA 95827

or call (916) 255-2919; toll-free (800) 952-5210.

Visit BAR's Web site at www.autorepair.ca.gov or DCA's Web site at www.dca.ca.gov or call one of the Bureau's field offices listed below, or DCA's toll-free information line at 1-800-952-5210.

# Bureau of Automotive Repair - Field Offices

### **Bakersfield**

331 Sillect Avenue Bakersfield, CA 93308 (661) 335-7400

#### Culver City

6035 Bristol Parkway Culver City, CA 90230 (310) 410-0024

#### Fresno

4152 W. Swift Avenue, Suite 104 Fresno, CA 93722 (559) 445-5015

#### **Oceanside**

1310 Union Plaza Court, Suite 100 Oceanside, CA 92054 (760) 439-0942

#### **Placentia**

701 Kimberly Avenue, Suite 120 Placentia, CA 92870 (714) 961-7940

#### Richmond

3260 Blume Drive, Suite 340 Richmond, CA 94806 (510) 243-9410

### Riverside

3737 Main Street, Suite 850 Riverside, CA 92501 (951) 782-4250

#### Sacramento

10220 Systems Parkway, Suite D Sacramento, CA 95827 (916) 255-4200

#### San Jose

1361 So. Winchester Blvd., Suite 206 San Jose, CA 95128 (408) 277-1860

#### South El Monte

1180 Durfee Avenue, Suite 120 South El Monte, CA 91733 (626) 575-6934

#### Valencia

27202 Turnberry Lane, Suite #250 Valencia, CA 91355 (661) 702-6600

#### San Francisco

395 Oyster Point Blvd., Suite 102 S. San Francisco, CA 94080 (650) 827-2074

# Write It Right – for Automotive Repair Dealers

The Automotive Repair Act (Act) requires auto repair shops to follow sound business practices in dealing with customers. These practices can be summed up in four rules:

- Keep the customer informed.
- Do only work that has been authorized.
- Keep a written record of all work performed and parts supplied.
- Give copies of work orders and final invoices to the customer.

### It is your responsibility to comply with the Automotive Repair Act.

This guide, illustrating how to complete estimates, work orders, and invoices correctly, will help you meet that responsibility.

Also, refer to the Bureau's *GUIDE FOR THE AUTO BODY REPAIR DEALER*, or the *GUIDE FOR LICENSED SMOG CHECK STATIONS AND TECHNICIANS*.

The information contained in this guide should be used with the Laws and Regulations Relating to Automotive Repair Dealers, Licensed Official Stations, and Licensed Smog Check Stations.

Protect yourself. If a dispute arises, you may be asked to show that repairs were authorized, or that you complied with the Act.

**PLEASE NOTE:** This publication is only a GUIDE. For absolute accuracy, please reference the publications of the official statutes and regulations for the complete text. Estimates, work orders, and invoices depicted in this guide are only examples and as such should only be used as a sample of the form and content. The Bureau of Automotive Repair is available to assist you with any questions.

	Phor	10123 AnyTo	omotive Repair Broadway St wn, CA 90000 3333 Fax: 333-333		# 00001		EPA number
	R Reg No: <b>AA123456</b> comer Name:		Lloma Dhana #		7654321		
Cust	John Doe		Home Phone # 777-1111	Work Phone # 771-290	20		Odometer
A al al a					<i>,</i> 0		
Addr	1000 Rubicon Road	License # 4BY4CAL	Odometer 32,092				
City: Anytown, CA 95000				Vehicle Information 2000 Jeep Wrangler			Specific job
Qty. Description of parts Price (all parts new unless otherwise noted)		Desc	Description of labor Charge				
			Diagnose cause	of engine overheating	ıg.		
			Check condition	of the brakes.			
							Estimated price
						-	
						-	
				SUBTOTAL LA	BOR		Cale
				SUBTOTAL PA			Customer authorization
		/		SALES		1	
					OTAL	-	
					☐ By FAX		
Orig	inal Estimate:\$70.00	Au	ithorized by:	suu Doe	By E-MAIL		
Pho	ne No.: Date:_				☐ In Person☐ By Phone		
l .	itional Cost: \$ Revis	sed Estir	mate:\$		By FAX		
	ision Details:				By E-MAIL In Person		
l	orized by:				☐ By Phone		
Pho	ne No.: Date:_		Time:		_ by i none		

# Written Estimate/Work Order — §9884.9\*\*\*; §3353\*\*\*\*

The automotive repair dealer shall give to the customer a written estimated price for labor and parts necessary for a specific job.

### 1. Who is the customer?

**The person** authorizing the repairs to the vehicle. §3303(j)

#### 2. What must be on a written estimate? \*

A description of the specific job, the estimated price for parts and labor, and the vehicle's odometer reading. §§9884.9, 9884.7(a)(2)

If the estimate copy is a separate document (as in the case of some computer-generated estimates) make a notation on your estimate that the document is attached along with the document's identifying information (example: date & insurance claim number). Note your estimate/work order number on the attached document (these notes must also be on the final invoice). The attached document becomes part of the estimate/work order and final invoice.

### 3. How are the repairs authorized?

By the customer's signature on the estimate. Authorization shall consist of the customer's signature on the estimate/work order taken before repair work begins. §3303(k), (Also see "Unusual Circumstances").

After the customer authorizes the repairs your copy of the *estimate* becomes a work order. The customer must receive a copy of the signed estimate.

(Always give the customer a copy of a signed paper at the time it is signed) §§9884.9(a), 9884.7(a)(3), §3353

# **4.** Does the estimated price have to include the sales tax? **No.** Tax is added when the job is done.

# 5. Does the estimated price include the toxic waste cost?

**Yes**. If toxic waste disposal is applicable to the vehicle being repaired, the fee *charged* must be itemized separately on the estimate. If you charged a fee, your EPA\*\* identification number must be printed on your estimates and invoices. §§9884.8, 9884.9, §3356.1

#### \* AUTO BODY REPAIR

There are additional laws and regulations that must be followed when **Estimating Auto Body Repairs** that are *not covered in this guide*. For further information please refer to the Bureau's **GUIDE FOR THE AUTO BODY REPAIR DEALER** 

EPA - Environmental Protection Agency.

\*\* Numbers starting with "9" are from the Business and Professions Code.

\*\*\* Numbers starting with "3" are from Title 16, California Code of Regulations.

# Additional Authorization - §9884.9; §3353(c)

# 1. Can work be done in excess of the work listed on the "Estimate/Work Order?"

Only if the customer authorizes the additional work and any additional cost before the additional work begins. (please refer to page 26 for pending regulation changes relating to customer authorization) *No charges shall be made in excess of the written estimate without authorization from the customer.* §9884.9(a), §3353(c)

# 2. Can I sublet work to another shop? Who is responsible for it?

If you sublet work, you must include that fact on the written estimate/ work order and the final invoice. You shall be responsible, in any case, for any service work in the same manner as if you or your employees had done the work. At the request of the customer, you must disclose the location where the sublet work will be performed. §§9884.7(a)(9); 9884.9(b); §3359

#### 3. How is additional authorization documented?

- Specify on the estimate/work order the additional repairs (including parts & labor) and the total additional cost. This additional work would be that which is in excess of the original work estimated. *Note on the work* order *and final invoice* how additional repairs were authorized: verbal, fax, or email. §9884.9(a), §3353(c)
- If authorization is oral (verbal), note the following as shown on the sample work order at left.
  - Date
  - Time
  - Customer's name
- Telephone number called, if any
- Description of additional repairs, parts, labor and total additional cost
- If authorization is by fax (Electronic), the return fax document from the customer must be attached to the work order and final invoice, and shall contain the following:
  - Date and time of transmission
  - Description of additional repairs, parts, labor and total additional cost
  - Dated and signed by the customer
- If authorization is by Email (Electronic), the return email from the customer shall be printed and a copy attached to the work order and final invoice, and shall contain the following:
  - Date and time of transmission
  - Description of additional repairs, parts, labor and total additional cost

	Phon	10123 AnyTov	omotive Repair Broadway St —— wn, CA 90000 333 Fax: 333-3334			# 00001	Business name & address
	R Reg No: AA123456		Home Phone #	Work	EPA No. 76 Phone #	54321	EPA number
	John Doe		777-1111	- TOIK	771-2900		Hombei
Address: 1000 Rubicon Road			License # 4BY4CAL	Odon	neter 32,092		 BAR Registration
City:	Anytown, CA 95000		Vehicle Information 2000	) Jeep	Wrangler		number
Qty.	Description of parts (all parts new unless otherwise noted)	Price	Descri	ption of	labor	Charge	Parts itemized
1-	Rebuilt water pump	43.00	Diagnose cause o	f engin	ne overheating.	70.00	
1	Gallon engine coolant	12.00	Found water pum	p leaki	ing.		
1	Thermostat & gasket	8.50	Check condition of	of the b	orakes.		Description
1	Barco B1407 front brake	48.13	Found front brake	s worr	1,		of labor
	pad kit.		Replace water pur	np and	l thermostat	153.00	
			Replace front brake pads 70.00				
			Sublet: Resurface	front l	orake rotors	28.00	
					SUBTOTAL LABOR	321.00	Parts and labor
					SUBTOTAL PARTS	111.63	subtotals
					SALES TAX	8.65	 Sales tax
					TOTAL	441.28	ICX
~	inal Estimate:\$ 70.00 ne No.: Date:_	Au	thorized by: <b></b>	hn '	<u>Doe</u> □ □	y FAX y E-MAIL n Person	 Authorization for additional
Revis	sion Details: Water pump, th		ate:\$ 432.63		□ B □ B	y FAX y E-MAIL n Person	repairs documented
	orized by:	12/8/04	1Time:10	:00 am	VI D	y Phone	

# **Final Invoice** — §9884.8; §3356

The final invoice must be a complete record of all work done and parts supplied.

## 1. When does the customer get the invoice?

When the repair work is finished, and before the customer takes delivery of the vehicle.

### 2. What must be on the invoice?

- Your business name, as registered with the BAR. §3356
- Your business address, as registered with the BAR. §3356
- Your BAR registration number. §3356
- An itemized description of labor that clearly describes <u>all</u> service work done and <u>any</u> parts supplied. §9884.8, §3356
- Parts must be itemized and listed in terms that the customer can understand what was purchased. State if parts are new, used, rebuilt, reconditioned, and whether any crash parts are OEM\* or non-OEM\*\* after market. §9884.8; §3356
- Labor operations and parts must be listed **even if the work is** warranty or done at no charge. §9884.8; §3356
- Subtotals for parts and labor. §9884.8; §3356
- Sales tax §9884.8; §3356
- Notations of additional authorizations. If consent is oral, you must either make notations as shown on the sample invoice at left, or you must use *Acknowledgment of Notice and Consent*, as described on the next page. §9884.9(a)§3353(c)(4)
- If a toxic waste fee is charged, it must have been included in the original estimate and you must have your EPA number on the final invoice. §3356.1

## 3. Do I have to return replaced parts to a customer?

Yes, if requested by the customer at the time the work order is placed. There are exceptions; for example, you do not have to return a part if it has to go back to the supplier under a warranty or core arrangement. However, in these circumstances you must offer to show the replaced part to the customer. §9884.10; §3355

Continued on following page

<sup>\*</sup> OEM means Original Equipment Manufacturer

<sup>\*\*</sup> Non-OEM means nonoriginal aftermarket crash part

Date		10123 AnyTov	omotive Repair Broadway St wn, CA 90000		# 00001
DA		e 333-3	333 Fax: 333-3334	EDA N	E 4004
	R Reg No: <b>AA123456</b> tomer Name:		Home Phone #	EPA No: <b>76</b> Work Phone #	54321
Ouo	John Doe		777-1111	771-2900	
Addı	ress:		License #	Odometer	
	1000 Rubicon Road		4BY4CAL	32,092	
City:	Anytown, CA 95000		Vehicle Information 2000	Jeep Wrangler	
Qty.	Description of parts (all parts new unless otherwise noted)	Price	Descri	ption of labor	Charge
1	Rebuilt water pump	43.00	Diagnose cause of	f engine overheating.	70.00
1	Gallon engine coolant	12.00	Found water pum	p leaking.	
1	Thermostat & gasket	8.50	Check condition of	of the brakes.	
1	Barco B1407 front brake	48.13	Found front brake	es worn.	
	pad kit.		Replace water pump and thermostat		153.00
			Replace front brak	ke pads	70.00
			Sublet: Resurface	front brake rotors	28.00
		1		SUBTOTAL LABOR	321.00
	"I acknowledge notice and			SUBTOTAL PARTS	111.63
	an increase in the original John De		d price.	SALES TAX	8.65
	(signature or		_	TOTAL	441.28
					By E-MAIL
Phone No.: Date:Time			•	U II	n Person By Phone
Additional Cost: \$ 362.63 Revised Estima Revision Details: Water pump, thermost Authorized by:			estat, front brakes	Q E	By FAX By E-MAIL n Person By Phone
<b>Pho</b>	ne No.: Date:_		Time:		-

**Final Invoice** – §9884.8; §3356

Acknowledgment of Notice and Consent

Customer authorization

Continued

4. Do I need to provide an invoice on a "no charge" or warranty repair?

**Yes**. You must provide an invoice to your customer even if there is no charge.

**All work done** by an automotive repair dealer, including all warranty work, shall be recorded on an invoice and shall describe all service work done and parts supplied. §9884.8, §3356

5. How long should I keep a copy of the invoice?

For three years, along with other records pertaining to the repair - for example, copies of estimates, invoices for parts, and sublet repairs or labor. All such records shall be open for reasonable inspection and/or reproduction by the Bureau or other law enforcement officials during normal business hours. §9884.11; §3358.

6. When a customer gives <u>oral</u> consent to <u>additional repairs</u>, must I always write the complete notation on the final invoice, the same as on the work order?

Yes. Unless you get the customer's signature or initials on an

"Acknowledgment of Notice and Consent"

including the language shown in the example to the left.\*

\* When using the Acknowledgment of Notice and Consent, the repair dealer **MUST** document any revisions of the original estimate on the work order. §9884.9

10

11

Date		10123 AnyTov	omotive Repair Broadway St wn, CA 90000 333 Fax: 333-3334		# 00002		
	R Reg No: AA123456		Home Phone #	EPA N Work Phone #	o: <b>7654321</b>		
Cusi	omer Name: John Doe		777-1111	771-29	900		Odometer
Address: 1000 Rubicon Road			License # 4BY4CAL	Odometer			
City: Anytown, CA 95000			Vehicle Information 2000	Vehicle Information 2000 Jeep Wrangler			
Qty.	Description of parts (all parts new unless otherwise noted)	Price	Descri	iption of labor	Charge		
			Diagnose cause o	f engine overheati	ing.		
			Vehicle towed in.				Specific job
			Check condition	of the brakes.			
							Estimated price
				SUBTOTAL			Customer authorization documented
				SUBTOTAL	PADR'S ES TAX TOTAL		
	inal Estimate:\$ 70.00 ne No.: 771-2900 Date:_			chn Doe	By FAX By E-MAIL In Person By Phone		Telephone,
Rev	itional Cost: \$ Revis	ed Estir	mate:\$		By FAX By E-MAIL In Person		adio & IIII6
	ne No.: Date:		Time:		☐ By Phone		

# **Unusual Circumstances Estimate/Work Order** — §9884.9; §3353(f)

### 1. What are "unusual circumstances"?

These are times when the customer can't be there to sign the initial estimate/work order during normal business hours. The customer may have dropped the vehicle at the shop before or after business hours. Or, the vehicle may have been towed in, unaccompanied by the customer.

# 2. How do I get the customer's authorization under "unusual circumstances"?

- **a. Prepare a written estimate/work order** before any work is done, including any teardown.
- **b.** Contact the customer, provide all the information listed on the estimate/work order, and obtain the customer's authorization.
- **c. Properly document** the customer's authorization on the work order and final invoice. (Refer to pages 5, 7, 9, and 11 in this guide)

Date		10123 AnyTov	omotive Repair Broadway St wn, CA 90000 333 Fax: 333-3334	L		# 00003		
ВА	R Reg No: <b>AA123456</b>	0 333 3	333 1 <b>u</b> x. 333 333 1		EPA No: <b>76</b>	54321		
	omer Name:		Home Phone #	Work P				
	John Doe		777-1111		771-2900			
Add	ress: 1000 Rubicon Road	License # 4BY4CAL	Odome	ter 32,092	92			
City	Anytown, CA 95000	Vehicle Information 2000 Jeep Wrangler						
Qty.	Description of parts (all parts new unless otherwise noted)	Price	Description	of labor		Charge		
			Diagnose cause o	f engine	overheating.			
			Found coolant in	cylinder	S.			
			Remove cylinder	head for	inspection			
			and report.					
	Disassembly might prevent the restoration of the component to its former condition		_		SUBTOTAL LABOR			
	TEARDOWN I		E:		SUBTOTAL PARTS			
	nderstand that my vehicle will be rea	assemble	ed within 3 days o		SALES TAX			
dat	e shown above if I choose not to au	thorize th	ne services recomme	nded.	TOTAL			
Orig	inal Estimate:\$70.00	Atr	thorized by: Jol	nn T	oe 📑	By FAX By E-MAIL		
Pho	ne No.: Date:_		Time:		In	n Person By Phone		
Add	itional Cost: \$ 355.00 Revis	ed Estir	mate:\$ 425.00		XIB	By FAX		
	ision Details: Teardown, remo	ve cylin	ider nead, inspect,	report		By E-MAIL		
	orized by: <i>John Doe</i>				D =	n Person		
Pho	ne No.: Date:_		Time:			y Phone		
	itional Cost: \$ Revis				□в	y FAX		
	sion Details:					y E-MAIL		
	orized by:					n Person		
Pho	ne No.: Date:_		Time:			By Phone		

# Estimate To Teardown, Inspect, Report and Reassemble — §3353(d)

#### 1. What is a Teardown Estimate?

Specific Job (teardown &

reassembly)

Maximum

Estimated price of

teardown & reassembly

Customer authorization

If by fax or email, additional documents must be attached

time to reassemble

**A Teardown estimate** is used when it is necessary to disassemble a vehicle component to find the problem and then prepare a more complete written estimate.

#### 2. What must be written on a *Teardown Estimate*?

The Teardown estimate must contain everything required for a written estimate with the addition of the following:

- The cost of the teardown must include a price for reassembly even if the customer does not want to have the repairs done, and the cost of items such as gaskets, seals, and O-rings, which are normally destroyed by disassembly. §3353(d)
- The maximum time it will take to reassemble the vehicle in the event the customer doesn't want to have the repairs done. Maximum time is counted from the date of authorization of the teardown. §3353(d)

# 3. What if the vehicle cannot be restored to its former condition after teardown?

- **Tell the customer before** starting the teardown, and write that information on the teardown estimate/work order.
- If the act of teardown might prevent the restoration of the component to its former condition, the dealer shall write that information on the work order containing the teardown estimate before the work order is signed by the customer. §3353(d)

# Second Estimate After Teardown - §9884.9; §3353

1. What do I do after I inspect the torn down vehicle?

Prepare a written estimated price for a specific job. You must list (itemize) all parts and labor required for such repair. Then contact the customer. §3353(d)

2. How is the repair work authorized?

In the same way that any other work is authorized, written, oral, or electronic. §9884.9; §3353

After teardown, the customer must authorize any further work (including reassembly) whether or not the customer decides to have repairs done. §9884.9; §3353

3. Do I have to follow the itemized estimate/work order exactly?

Yes, unless you get the customer's authorization to make a change in the method of repair or parts supplied.

- 4. What do I do if the customer decides not to have the repairs done?
  - With customer authorization, put the vehicle back together.
  - You must do this within the maximum time period, as written on the teardown estimate. You can charge no more than the price on the teardown estimate, since the original estimate includes reassembly. §3353(d)

#### AUTO BODY REPAIR

There are additional laws and regulations that must be followed when **Estimating Auto Body Repairs** that are *not contained in this guide*. For further information please refer to the Bureau's

GUIDE FOR THE AUTO BODY REPAIR DEALER

Phone No.:

By Phone

# Final Invoice After Teardown, Inspection, and Repair

What must be on the final invoice after teardown, inspection, and repair?

The Final Invoice must be a complete record of all work done. It must reflect all of the required elements of the Teardown Estimate (page 14) and the Actual Repair Estimate (page 16).

# IF YOU NEED MORE INFORMATION

See the Laws and Regulations Relating to Automotive Repair Dealers, Auto Body Repair Dealers, Licensed Official Stations, and Licensed Smog Check Stations; or call one of the Bureau's field offices, DCA's toll-free information line 1-800-952-5210; or go to BAR's Web site at www.autorepair.ca.gov

Phone No.:

# **Automatic Transmission Repair §3361.1**

A well-maintained automatic transmission can last a long time. When problems do occur, repairs may be costly. If repairs are necessary, your customer faces decisions such as: (Should the transmission be repaired or replaced? Should the torque converter be replaced?)

**As the expert**, you need to be careful before you replace, repair, or overhaul/rebuild\* an automatic transmission. (Refer to §3361.1)

Minimum Requirements: Before an automatic transmission is removed from the vehicle for purposes of repair, or overhaul/rebuilding\*, it shall be inspected. This inspection shall determine whether or not the replacement or adjustment of any external part or parts will correct the specific malfunction of the transmission. In the case of an electronically controlled automatic transmission, this inspection shall include a diagnostic check, including the retrieval of any diagnotic trouble codes, of the electronic control module that controls the operation of the transmission. In addition, prior to removal of the transmission, any applicable guarantee or warranty must be disclosed to the customer.

**Inform the customer** if a minor service and/or replacement or adjustment of any external part can reasonably be expected to correct the specific problem.

The customer must be notified and must authorize any further repairs if external adjustments or repairs will not correct the problem.

If the customer requests a rebuilt or exchanged transmission and does not want an external inspection, be sure to document that on the estimate/work order.

If a teardown is performed, the estimate must comply with the written estimate and teardown estimate requirements noted in this guide.

After the external inspection, if the customer authorizes the shop to repair the specific malfunction, install a rebuilt exchange, or rebuild the customer's transmission for a specific price, and no teardown is performed, it is not necessary to complete a teardown estimate.

attached

■ By Phone

Time:

Date:

Phone No.:

<sup>\*</sup> Overhaul - §3361.1(c)

# FREQUENTLY ASKED QUESTIONS AND ANSWERS

# For what reasons can my registration be suspended or revoked? §\$490; 9884.7

**By law**, a dealer's registration may be revoked for any of the following acts or omissions:

- 1. Making untrue or misleading statements.
- 2. Allowing a customer sign a work order that does not state the repairs requested or the odometer reading.
- 3. Failing to give a customer a copy of a signed document.
- 4. Fraud.
- 5. Gross negligence.
- 6. Failure to comply with the Automotive Repair Act or BAR regulations.
- 7. Willful departure from, or disregard of accepted trade standards for good and workmanlike repair.
- 8. Making false promises to get a customer to authorize service.
- 9. Having repairs done by someone else without the knowledge or consent of the customer (unless the customer cannot reasonably be notified).
- 10. Conviction of a violation of Penal Code section 551 (Fraudulent acts).
- 11. Conviction of any crime substantially related to the qualifications of an automotive repair dealer.

### What must a guarantee or warranty show? §\$3376; 3377

The guarantee or warranty must be in writing and show the following:

- What is covered and what is not covered.
- The term, time, or the mileage the guarantee is good for.
- What the customer must do to have the guarantee honored (return the part, pay a service charge, etc.).
- What the guarantor will do (repair, replace, etc.).
- Whether the guarantor or the customer has any options as to what may satisfy the guarantee.
- Name and address of the guarantor.
- Whether the guarantee is prorated (that is, adjusted for time or mileage) §3377.

# Can I charge for shop supplies? §3356(b)

**You cannot charge** for items generically noted as shop supplies, miscellaneous parts, or the like.

You may charge only for supplies actually used on the customer's vehicle. The cost for these supplies must be included as part of the original estimate and must be specifically listed (itemized) on the invoice. There are additional requirements for auto body repairs regarding paint and materials. Please refer to the Bureau's "Guide for The Auto Body Repair Dealer" for further information.

#### What is a Written Estimate?

Written estimate means a document that contains a written estimated price for labor and parts for a specific job that meets the requirements of Business and Professions Code section 9884.9 and California Code of Regulations section 3353.

#### What is a Work Order?

A work order is a document that contains the estimate and memorializes the customer's authorization for a specific job.

# What is the difference between a repair order and a work order?

**There is no difference.** The California Code of Regulations uses the term "work order," therefore, to stay consistent, we use the terminology "work order" in this publication.

#### What is an Invoice?

An invoice is a document given to the customer that meets the invoice requirements of the Business and Professions Code section 9884.8 and California Code of Regulations section 3356. As stated in these laws and regulations, an invoice shall describe all service work done, including all warranty work, and shall separately identify each part in such a manner that the customer can understand what was purchased. (Parts must be listed in terms that the customer can understand.) The invoice must state if the parts are new, used, rebuilt, reconditioned, or an OEM crash part or Non-OEM aftermarket crash part. It shall also state the subtotals for parts and labor. These items, along with others, are required by law.

An invoice is also known as a "final bill" within the auto body industry. Please refer to the Bureau's "Guide for The Auto Body Repair Dealer", and to those Laws and Regulations relating to Auto Body Repair Dealers for more details.

# Do I have to post my labor rate per hour or have it on my estimate and/or invoice?

**No**, except for licensed Smog Check, Lamp or Brake Stations, there are no laws or regulations requiring an automotive repair dealer to post hourly rates, or have them printed on the estimate and/or invoice.

# Am I required to put the labor hours for a repair procedure on my estimate or final invoice?

**No.** However, for example, if your final invoice shows that you billed three hours of labor time for a repair procedure, you must have spent three hours of labor time for that repair procedure.

#### AUTO BODY REPAIR and SMOG CHECK

**There are additional** laws and regulations that must be followed when performing Auto Body Repairs, or Smog Check inspections that are *not contained in this guide*. For further information please refer to the Bureau's: GUIDE FOR THE AUTO BODY REPAIR DEALER, or GUIDE FOR LICENSED SMOG CHECK STATIONS AND TECHNICIANS.

# REGULATION CHANGES (HIGHLIGHTS)

Assembly Bill 1079 (AB1079) Chaptered in September of 2004, amended Business and Professions Code section 9884.9. These amendments allow a customer, as defined, to designate another person who may authorize additional repairs and parts not included in an initial work order, and permit the Bureau to establish, by regulation, the form and content of, as well as the procedures for recording that designation.

Business and Professions Code section 9884.9 (d) now reads:

"A customer may designate another person to authorize work or parts supplied in excess of the estimated price, if the designation is made in writing at the time that the initial authorization to proceed is signed by the customer. The bureau may specify in regulation the form and content of a designation and the procedures to be followed by the automotive repair dealer in recording the designation. For the purposes of this section, a designee shall not be the automotive repair dealer providing repair services or an insurer involved in a claim that includes the motor vehicle being repaired, or an employee or agent or a person acting on behalf of the dealer or insurer."

The proposed regulation changes would specify the documentation method required by an automotive repair dealer when a customer elects to designate another person to authorize additional repairs.

#### A summary of the key points in the proposed regulation are as follows:

**The designation** may be a separate form (document), or may be incorporated into the repair dealer's work order and invoice.

**If the designation** is a separate form by itself, it must include the following: The heading statement:

"DESIGNATION OF PERSON TO AUTHORIZE ADDITIONAL WORK OR PARTS,

The designation statement:

I hereby designate the individual named below to authorize any additional work not specified or parts not included in the original written estimated price for parts and labor:

It must include:

the name, phone number, fax number, and e-mail address of the designee, the customer's name, the work order number, date, and the customer's signature.

**If the designation** is incorporated into the repair dealer's work order, it must include the designation statements noted above, and separately list the *name*, *phone number*, *fax number*, *and e-mail address of the designee*, *the customer's signature*, *and the date of signing*.

# **NOTES:**

## Where do I find more information

Please refer to the laws and regulations relating to Automotive Repair Dealers, Auto Body Repair Dealers, Licensed Official Stations, and Licensed Smog Check Stations, or you may contact one of the Bureau's field offices listed at the beginning of this guide, call DCA's toll-free information line 1-800-952-5210, or go to the BAR web site

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